

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BANKEAST,	)	
	)	
Plaintiff,	)	8:09CV259
	)	
V.	)	
	)	
INFORMATION TECHNOLOGY,	)	<b>MEMORANDUM AND ORDER</b>
INC,	)	
	)	
Defendant.	)	
_____	)	

The court has been advised by counsel for Plaintiff BankEast that BankEast wishes to withdraw the motion to remand ([filing 8](#)) that it filed in this case. *See Information Technology, Inc. v. BankEast*, Case No. 4:08-cv-3207, CM/ECF [Filing 34](#) (D. Neb. 2008). BankEast's request will be granted.

Further, it appears to the court that this case involves similar, if not identical, issues to those involved in *Information Technology, Inc. v. BankEast*, Case No. 4:08-cv-3207 (D. Neb. 2008). As such, the parties will be given until November 9, 2009, to show cause as to why these actions should not be consolidated pursuant to [Fed. R. Civ. P. 42](#).

IT IS ORDERED:

1. BankEast's motion to remand ([filing 8](#)) is hereby deemed withdrawn; and
2. The parties shall have until November 9, 2009, to show cause as to why this action should not be consolidated with *Information Technology, Inc.*

*v. BankEast*, Case No. 4:08-cv-3207 (D. Neb. 2008) or, alternatively, to consent to consolidation.

October 7, 2009.

BY THE COURT:

*Richard G. Kopf*

United States District Judge